

108TH CONGRESS  
1ST SESSION

# H. R. 2691

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## AN ACT

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

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1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 That the following sums are appropriated, out of any  
2 money in the Treasury not otherwise appropriated, for the  
3 Department of the Interior and related agencies for the  
4 fiscal year ending September 30, 2004, and for other pur-  
5 poses, namely:

6 TITLE I—DEPARTMENT OF THE INTERIOR

7 BUREAU OF LAND MANAGEMENT

8 MANAGEMENT OF LANDS AND RESOURCES

9 For necessary expenses for protection, use, improve-  
10 ment, development, disposal, cadastral surveying, classi-  
11 fication, acquisition of easements and other interests in  
12 lands, and performance of other functions, including main-  
13 tenance of facilities, as authorized by law, in the manage-  
14 ment of lands and their resources under the jurisdiction  
15 of the Bureau of Land Management, including the general  
16 administration of the Bureau, and assessment of mineral  
17 potential of public lands pursuant to Public Law 96–487  
18 (16 U.S.C. 3150(a)), \$834,088,000, to remain available  
19 until expended, of which \$1,000,000 is for high priority  
20 projects, to be carried out by the Youth Conservation  
21 Corps; \$2,222,000 is for assessment of the mineral poten-  
22 tial of public lands in Alaska pursuant to section 1010  
23 of Public Law 96–487; (16 U.S.C. 3150); and of which  
24 not to exceed \$1,000,000 shall be derived from the special  
25 receipt account established by the Land and Water Con-

1   sistance by the Department of the Interior, \$698,725,000,  
2   to remain available until expended, of which not to exceed  
3   \$12,374,000 shall be for the renovation or construction  
4   of fire facilities: *Provided*, That such funds are also avail-  
5   able for repayment of advances to other appropriation ac-  
6   counts from which funds were previously transferred for  
7   such purposes: *Provided further*, That persons hired pur-  
8   suant to 43 U.S.C. 1469 may be furnished subsistence and  
9   lodging without cost from funds available from this appro-  
10   priation: *Provided further*, That notwithstanding 42  
11   U.S.C. 1856d, sums received by a bureau or office of the  
12   Department of the Interior for fire protection rendered  
13   pursuant to 42 U.S.C. 1856 et seq., protection of United  
14   States property, may be credited to the appropriation from  
15   which funds were expended to provide that protection, and  
16   are available without fiscal year limitation: *Provided fur-*  
17   *ther*, That using the amounts designated under this title  
18   of this Act, the Secretary of the Interior may enter into  
19   procurement contracts, grants, or cooperative agreements,  
20   for hazardous fuels reduction activities, and for training  
21   and monitoring associated with such hazardous fuels re-  
22   duction activities, on Federal land, or on adjacent non-  
23   Federal land for activities that benefit resources on Fed-  
24   eral land: *Provided further*, That the costs of implementing  
25   any cooperative agreement between the Federal Govern-

## DEPARTMENT OF ENERGY

## CLEAN COAL TECHNOLOGY

## (DEFERRAL)

Of the funds made available under this heading for obligation in prior years, \$86,000,000 shall not be available until October 1, 2004: *Provided*, That funds made available in previous appropriations Acts shall be available for any ongoing project regardless of the separate request for proposal under which the project was selected.

## FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95–91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), \$609,290,000 to remain available until expended, of which \$2,000,000 is to continue a multi-year project for construction, renovation, furnishing, and demolition or removal of buildings at National Energy Technology Laboratory facilities in Morgantown, West Virginia

1 and Pittsburgh, Pennsylvania; and of which \$130,000,000  
2 are to be made available, after coordination with the pri-  
3 vate sector, for a request for proposals for a Clean Coal  
4 Power Initiative providing for competitively-awarded re-  
5 search, development, and demonstration projects to reduce  
6 the barriers to continued and expanded coal use: *Provided*,  
7 That no project may be selected for which sufficient fund-  
8 ing is not available to provide for the total project: *Pro-*  
9 *vided further*, That funds shall be expended in accordance  
10 with the provisions governing the use of funds contained  
11 under the heading “Clean Coal Technology” in 42 U.S.C.  
12 5903d: *Provided further*, That the Department may in-  
13 clude provisions for repayment of Government contribu-  
14 tions to individual projects in an amount up to the Govern-  
15 ment contribution to the project on terms and conditions  
16 that are acceptable to the Department including repay-  
17 ments from sale and licensing of technologies from both  
18 domestic and foreign transactions: *Provided further*, That  
19 such repayments shall be retained by the Department for  
20 future coal-related research, development and demonstra-  
21 tion projects: *Provided further*, That any technology se-  
22 lected under this program shall be considered a Clean Coal  
23 Technology, and any project selected under this program  
24 shall be considered a Clean Coal Technology Project, for  
25 the purposes of 42 U.S.C. 7651n, and Chapters 51, 52,

1 and 60 of title 40 of the Code of Federal Regulations:  
2 *Provided further*, That no part of the sum herein made  
3 available shall be used for the field testing of nuclear ex-  
4 plosives in the recovery of oil and gas: *Provided further*,  
5 That up to 4 percent of program direction funds available  
6 to the National Energy Technology Laboratory may be  
7 used to support Department of Energy activities not in-  
8 cluded in this account.

9           NAVAL PETROLEUM AND OIL SHALE RESERVES

10       For expenses necessary to carry out naval petroleum  
11 and oil shale reserve activities, \$20,500,000, to remain  
12 available until expended: *Provided*, That, notwithstanding  
13 any other provision of law, unobligated funds remaining  
14 from prior years shall be available for all naval petroleum  
15 and oil shale reserve activities.

16           ELK HILLS SCHOOL LANDS FUND

17       For necessary expenses in fulfilling installment pay-  
18 ments under the Settlement Agreement entered into by  
19 the United States and the State of California on October  
20 11, 1996, as authorized by section 3415 of Public Law  
21 104–106, \$36,000,000, to become available on October 1,  
22 2004 for payment to the State of California for the State  
23 Teachers' Retirement Fund from the Elk Hills School  
24 Lands Fund.

## ENERGY CONSERVATION

For necessary expenses in carrying out energy conservation activities, \$879,487,000 (increased by \$15,000,000, reduced by \$15,000,000), to remain available until expended: *Provided*, That \$270,000,000 (increased by \$15,000,000) shall be for use in energy conservation grant programs as defined in section 3008(3) of Public Law 99–509 (15 U.S.C. 4507): *Provided further*, That notwithstanding section 3003(d)(2) of Public Law 99–509, such sums shall be allocated to the eligible programs as follows: \$225,000,000 (increased by \$15,000,000) for weatherization assistance grants and \$45,000,000 for State energy program grants.

## ECONOMIC REGULATION

For necessary expenses in carrying out the activities of the Office of Hearings and Appeals, \$1,047,000, to remain available until expended.

## STRATEGIC PETROLEUM RESERVE

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), \$175,081,000, to remain available until expended.



## 1           NORTHEAST HOME HEATING OIL RESERVE

2           For necessary expenses for Northeast Home Heating  
3 Oil Reserve storage, operations, and management activi-  
4 ties pursuant to the Energy Policy and Conservation Act  
5 of 2000, \$5,000,000, to remain available until expended.

## 6           ENERGY INFORMATION ADMINISTRATION

7           For necessary expenses in carrying out the activities  
8 of the Energy Information Administration, \$82,111,000,  
9 to remain available until expended.

## 10       ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

11       Appropriations under this Act for the current fiscal  
12 year shall be available for hire of passenger motor vehicles;  
13 hire, maintenance, and operation of aircraft; purchase, re-  
14 pair, and cleaning of uniforms; and reimbursement to the  
15 General Services Administration for security guard serv-  
16 ices.

17       From appropriations under this Act, transfers of  
18 sums may be made to other agencies of the Government  
19 for the performance of work for which the appropriation  
20 is made.

21       None of the funds made available to the Department  
22 of Energy under this Act shall be used to implement or  
23 finance authorized price support or loan guarantee pro-  
24 grams unless specific provision is made for such programs  
25 in an appropriations Act.

1       The Secretary is authorized to accept lands, build-  
2 ings, equipment, and other contributions from public and  
3 private sources and to prosecute projects in cooperation  
4 with other agencies, Federal, State, private or foreign:  
5 *Provided*, That revenues and other moneys received by or  
6 for the account of the Department of Energy or otherwise  
7 generated by sale of products in connection with projects  
8 of the Department appropriated under this Act may be  
9 retained by the Secretary of Energy, to be available until  
10 expended, and used only for plant construction, operation,  
11 costs, and payments to cost-sharing entities as provided  
12 in appropriate cost-sharing contracts or agreements: *Pro-*  
13 *vided further*, That the remainder of revenues after the  
14 making of such payments shall be covered into the Treas-  
15 ury as miscellaneous receipts: *Provided further*, That any  
16 contract, agreement, or provision thereof entered into by  
17 the Secretary pursuant to this authority shall not be exe-  
18 cuted prior to the expiration of 30 calendar days (not in-  
19 cluding any day in which either House of Congress is not  
20 in session because of adjournment of more than 3 calendar  
21 days to a day certain) from the receipt by the Speaker  
22 of the House of Representatives and the President of the  
23 Senate of a full comprehensive report on such project, in-  
24 cluding the facts and circumstances relied upon in support  
25 of the proposed project.

1 No funds provided in this Act may be expended by  
2 the Department of Energy to prepare, issue, or process  
3 procurement documents for programs or projects for  
4 which appropriations have not been made.

5 In addition to other authorities set forth in this Act,  
6 the Secretary may accept fees and contributions from pub-  
7 lic and private sources, to be deposited in a contributed  
8 funds account, and prosecute projects using such fees and  
9 contributions in cooperation with other Federal, State or  
10 private agencies or concerns.

11 DEPARTMENT OF HEALTH AND HUMAN  
12 SERVICES

13 INDIAN HEALTH SERVICE

14 INDIAN HEALTH SERVICES

15 For expenses necessary to carry out the Act of Au-  
16 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-  
17 tion Act, the Indian Health Care Improvement Act, and  
18 titles II and III of the Public Health Service Act with re-  
19 spect to the Indian Health Service, \$2,556,082,000, to-  
20 gether with payments received during the fiscal year pur-  
21 suant to 42 U.S.C. 238(b) for services furnished by the  
22 Indian Health Service: *Provided*, That funds made avail-  
23 able to tribes and tribal organizations through contracts,  
24 grant agreements, or any other agreements or compacts  
25 authorized by the Indian Self-Determination and Edu-